

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:18-cv-01924-MN**

Henry v. Wolverine World Wide, Inc. et al  
Assigned to: Judge Maryellen Noreika  
Cause: 28:1332 Diversity–Personal Injury

Date Filed: 12/04/2018  
Date Terminated: 05/13/2019  
Jury Demand: Plaintiff  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

**Plaintiff**

**Susan Henry**  
*for herself and on behalf of all others similarly  
situated*

represented by **R. Joseph Hrubiec**  
Napoli Shkolnik, LLC  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Wolverine World Wide, Inc.**  
*a Delaware Corporation*

represented by **John Anderson Sensing**  
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1313 N. Market St., Hercules Plaza, 6th Flr.  
P.O. Box 951  
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**LEAD ATTORNEY**  
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**Jesse Leon Noa**  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**Waste Management, Inc.**  
*a Delaware Corporation*  
**TERMINATED: 02/13/2019**

**Defendant**

**3M Company**  
*a Delaware Corporation*  
*formerly known as*  
 Minnesota Mining and Manufacturing Co.

represented by **Kelly E. Farnan**  
 Richards, Layton & Finger, PA  
 One Rodney Square  
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 Wilmington, DE 19801  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Waste Management of Michigan, Inc.**

represented by **Brian Tome**  
 Reilly, Janiczek, McDevitt, Henrich & Cholden,  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/04/2018	<u>1</u>	CLASS COMPLAINT WITH INDIVIDUAL CLAIMS – filed with Jury Demand against 3M Company, Waste Management, Inc., Wolverine World Wide, Inc. – Magistrate Consent Notice to Pltf. ( Filing fee \$ 400, receipt number 0311-2517571.) – filed by Susan Henry. (Attachments: # <u>1</u> Civil Cover Sheet)(rwc) (Entered: 12/06/2018)
12/04/2018	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (rwc) (Entered: 12/06/2018)
12/06/2018	<u>1</u>	No Summons Issued. (rwc) (Entered: 12/06/2018)
12/06/2018	<u>1</u>	Summons Issued with Magistrate Consent Notice attached as to 3M Company on 12/6/2018; Waste Management, Inc. on 12/6/2018; Wolverine World Wide, Inc. on 12/6/2018. (ddp) (Entered: 12/06/2018)
12/10/2018	<u>3</u>	AFFIDAVIT of Service for Summons and Complaint served on Wolverine World Wide, Inc. on 12/10/2018, filed by Susan Henry. (Hrubiec, R.) (Entered: 12/10/2018)
12/12/2018	<u>1</u>	Case Assigned to Judge Maryellen Noreika. Please include the initials of the Judge (MN) after the case number on all documents filed. (rjb) (Entered: 12/12/2018)
12/12/2018	<u>4</u>	AFFIDAVIT of Service for Summons and Complaint served on The 3M Company on 12/10/18, filed by Susan Henry. (Hrubiec, R.) (Entered: 12/12/2018)
12/12/2018	<u>5</u>	AFFIDAVIT of Service for Summons and Complaint served on Waste Management, Inc., filed by Susan Henry. (Hrubiec, R.) (Entered: 12/12/2018)
12/13/2018	<u>1</u>	Set/Reset Answer Deadlines: 3M Company answer due 1/2/2019; Waste Management, Inc. answer due 1/2/2019; Wolverine World Wide, Inc. answer due 1/2/2019. (dlw) (Entered: 12/13/2018)

12/21/2018	<u>I</u>	Summons Reissued with Magistrate Consent Notice attached as to 3M Company. (ddp) (Entered: 12/21/2018)
12/21/2018	<u>I 6</u>	Unopposed MOTION for Extension of Time to File Answer – filed by 3M Company. (Attachments: # <u>1</u> Text of Proposed Order)(Farnan, Kelly) Modified on 12/21/2018 (dlw). (Entered: 12/21/2018)
12/21/2018	<u>I</u>	SO ORDERED re <u>6</u> Unopposed MOTION for Extension of Time to File Answer(Set/Reset Answer Deadlines: 3M Company answer due 2/14/2019; Waste Management, Inc. answer due 2/14/2019; Wolverine World Wide, Inc. answer due 2/14/2019). ORDERED by Judge Maryellen Noreika on 12/21/2018. (dlw) (Entered: 12/21/2018)
12/27/2018	<u>I 7</u>	AFFIDAVIT of Service for Summons and Complaint served on The 3M Company on 12/24/2018, filed by Susan Henry. (Attachments: # <u>1</u> Exhibit A (Certified Mail Return Receipt))(Hrubiec, R.) (Entered: 12/27/2018)
02/12/2019	<u>I 8</u>	STIPULATION TO EXTEND TIME to move, answer or otherwise respond to the Complaint to March 7, 2019 – filed by 3M Company. (Farnan, Kelly) (Entered: 02/12/2019)
02/12/2019	<u>I 9</u>	STIPULATION of Dismissal and Leave to Amend Plaintiff's Complaint by Waste Management, Inc. (Attachments: # <u>1</u> Proposed Order)(Griffin, Caitlin) Modified on 2/13/2019 (dlw). (Entered: 02/12/2019)
02/13/2019	<u>I</u>	SO ORDERED re <u>8</u> STIPULATION TO EXTEND TIME to move, answer or otherwise respond to the Complaint to March 7, 2019 (Set/Reset Answer Deadlines: 3M Company answer due 3/7/2019; Wolverine World Wide, Inc. answer due 3/7/2019). ORDERED by Judge Maryellen Noreika on 2/13/2019. (dlw) (Entered: 02/13/2019)
02/13/2019	<u>I 10</u>	SO ORDERED re <u>9</u> Stipulation of Dismissal and Leave to File Amended Complaint. Party Waste Management, Inc. (a Delaware Corporation) terminated. Plaintiff is granted leave of 15 days from 2/13/2019 in which to file an amended complaint. Waste Management of Michigan, Inc.'s response to the Amended Complaint shall be filed within 20 days after receipt of same. Signed by Judge Maryellen Noreika on 2/13/2019. (dlw) (Entered: 02/13/2019)
03/04/2019	<u>I 11</u>	First AMENDED COMPLAINT against All Defendants – filed by Susan Henry.(Hrubiec, R.) (Entered: 03/04/2019)
03/08/2019	<u>I 12</u>	STIPULATION TO EXTEND TIME to move, answer, or otherwise respond to the First Amended Complaint to March 25, 2019 – filed by Wolverine World Wide, Inc. (Sensing, John) Modified on 3/11/2019 (dlw). (Entered: 03/08/2019)
03/11/2019	<u>I</u>	SO ORDERED re <u>12</u> STIPULATION TO EXTEND TIME to move, answer, or otherwise respond to the First Amended Complaint to March 25, 2019 (Set/Reset Answer Deadlines: 3M Company answer due 3/25/2019; Wolverine World Wide, Inc. answer due 3/25/2019). ORDERED by Judge Maryellen Noreika on 3/11/2019. (dlw) (Entered: 03/11/2019)
03/25/2019	<u>I 13</u>	NOTICE of Appearance by Jesse Leon Noa on behalf of Wolverine World Wide, Inc. (Noa, Jesse) (Entered: 03/25/2019)
03/25/2019	<u>I 14</u>	MOTION for Pro Hac Vice Appearance of Attorney James D. Herschlein – filed by Wolverine World Wide, Inc.. (Sensing, John) (Entered: 03/25/2019)
03/25/2019	<u>I 15</u>	MOTION to Dismiss for Failure to State a Claim – filed by Wolverine World Wide, Inc.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Sensing, John) (Entered: 03/25/2019)
03/25/2019	<u>I 16</u>	OPENING BRIEF in Support re <u>15</u> MOTION to Dismiss for Failure to State a Claim filed by Wolverine World Wide, Inc..Answering Brief/Response due date per Local Rules is 4/8/2019. (Sensing, John) (Main Document 16 replaced on 3/26/2019) (dlw). (Entered: 03/25/2019)

03/25/2019	<u>17</u>	NOTICE of Appearance by Brian Tome on behalf of Waste Management of Michigan, Inc. (Tome, Brian) (Entered: 03/25/2019)
03/25/2019	<u>18</u>	MOTION to Dismiss Based upon Failure to State a Claim – filed by Waste Management of Michigan, Inc.. (Tome, Brian) (Entered: 03/25/2019)
03/25/2019	<u>19</u>	OPENING BRIEF in Support re <u>18</u> MOTION to Dismiss Based upon Failure to State a Claim filed by Waste Management of Michigan, Inc..Answering Brief/Response due date per Local Rules is 4/8/2019. (Tome, Brian) (Entered: 03/25/2019)
03/25/2019	<u>20</u>	MOTION to Dismiss for Failure to State a Claim and/or for failure to plead fraud with particularity – filed by 3M Company. (Attachments: # <u>1</u> Text of Proposed Order)(Farnan, Kelly) Modified on 3/26/2019 (dlw). (Entered: 03/25/2019)
03/25/2019	<u>21</u>	OPENING BRIEF in Support re <u>20</u> MOTION to Dismiss for Failure to State a Claim <i>and/or for failure to plead fraud with particularity</i> filed by 3M Company.Answering Brief/Response due date per Local Rules is 4/8/2019. (Farnan, Kelly) (Entered: 03/25/2019)
03/25/2019	<u>22</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by 3M Company. (Farnan, Kelly) (Entered: 03/25/2019)
03/25/2019	<u>23</u>	PROPOSED ORDER // Waste Management of Michigan, Inc.'s Proposed Order for its Motion to Dismiss by Waste Management of Michigan, Inc. (Tome, Brian) Modified on 3/26/2019 (dlw). (Entered: 03/25/2019)
03/25/2019	<u>24</u>	ANSWER to Amended Complaint, re: <u>11</u> Amended Complaint with Jury Trial of Twelve Demanded by Waste Management of Michigan, Inc..(Tome, Brian) (Entered: 03/25/2019)
03/26/2019	<u>I</u>	SO ORDERED re <u>14</u> MOTION for Pro Hac Vice Appearance of Attorney James D. Herschlein filed by Wolverine World Wide, Inc. ORDERED by Judge Maryellen Noreika on 3/26/2019. (dlw) (Entered: 03/26/2019)
03/26/2019	<u>I</u>	CORRECTING ENTRY: D.I. 16 has been replaced on the docket with a version of the brief that complies with Local Rule 5.1.1(a). The footnotes have been updated to 12 point type. (dlw) (Entered: 03/26/2019)
03/27/2019	<u>25</u>	MOTION for Pro Hac Vice Appearance of Attorney Holli Pryor-Baze – filed by Waste Management of Michigan, Inc.. (Attachments: # <u>1</u> Affidavit)(Tome, Brian) (Entered: 03/27/2019)
03/27/2019	<u>26</u>	MOTION for Pro Hac Vice Appearance of Attorney Jim Wetwiska – filed by Waste Management of Michigan, Inc.. (Attachments: # <u>1</u> Affidavit)(Tome, Brian) (Entered: 03/27/2019)
03/27/2019	<u>27</u>	MOTION for Pro Hac Vice Appearance of Attorney Michael Darling – filed by Waste Management of Michigan, Inc.. (Attachments: # <u>1</u> Affidavit)(Tome, Brian) (Entered: 03/27/2019)
04/02/2019	<u>28</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by Wolverine World Wide, Inc.. (Noa, Jesse) (Entered: 04/02/2019)
04/04/2019	<u>I</u>	SO ORDERED re <u>27</u> MOTION for Pro Hac Vice Appearance of Attorney Michael Darling, <u>25</u> MOTION for Pro Hac Vice Appearance of Attorney Holli Pryor-Baze, <u>26</u> MOTION for Pro Hac Vice Appearance of Attorney Jim Wetwiska filed by Waste Management of Michigan, Inc. ORDERED by Judge Maryellen Noreika on 4/4/2019. (dlw) (Entered: 04/04/2019)
04/04/2019	<u>29</u>	First Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent Waste Management, Inc., Corporate Parent Waste Management Holdings, Inc. for Waste Management of Michigan, Inc. filed by Waste Management of Michigan, Inc.. (Tome, Brian) (Entered: 04/04/2019)
04/05/2019	<u>30</u>	

		Joint STIPULATION TO EXTEND TIME Plaintiffs' Answering Brief and Defendants' Reply Brief to April 22, 2019 and May 20, 2019, respectively – filed by Susan Henry. (Hrubiec, R.) (Entered: 04/05/2019)
04/05/2019	I	SO ORDERED re <u>30</u> Joint STIPULATION TO EXTEND TIME for Plaintiffs' Answering Brief and Defendants' Reply Brief to April 22, 2019 and May 20, 2019, respectively (Set Briefing Schedule: re <u>20</u> MOTION to Dismiss for Failure to State a Claim and/or for failure to plead fraud with particularity, <u>18</u> MOTION to Dismiss Based upon Failure to State a Claim, <u>15</u> MOTION to Dismiss for Failure to State a Claim – Answering Brief due 4/22/2019, Reply Brief due 5/20/2019). ORDERED by Judge Maryellen Noreika on 4/5/2019. (dlw) (Entered: 04/05/2019)
04/18/2019	<u>31</u>	MOTION to Transfer Case to United States District Court for the Western District of Michigan – filed by Wolverine World Wide, Inc.. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Local Rule 7.1.1 Averment of Counsel)(Sensing, John) (Entered: 04/18/2019)
04/18/2019	<u>32</u>	OPENING BRIEF in Support re <u>31</u> MOTION to Transfer Case to United States District Court for the Western District of Michigan filed by Wolverine World Wide, Inc..Answering Brief/Response due date per Local Rules is 5/2/2019. (Sensing, John) (Entered: 04/18/2019)
04/18/2019	<u>33</u>	DECLARATION of Janet Ramsey re <u>32</u> Opening Brief in Support by Wolverine World Wide, Inc. (Sensing, John) Modified on 4/22/2019 (dlw). (Entered: 04/18/2019)
04/22/2019	<u>34</u>	ANSWERING BRIEF in Opposition re <u>20</u> MOTION to Dismiss for Failure to State a Claim and/or for failure to plead fraud with particularit filed by Susan Henry.Reply Brief due date per Stipulation is 5/20/2019. (Hrubiec, R.) Modified on 4/22/2019 (dlw). (Entered: 04/22/2019)
04/22/2019	<u>35</u>	ANSWERING BRIEF in Opposition re <u>18</u> MOTION to Dismiss Based upon Failure to State a Claim filed by Susan Henry.Reply Brief due date per Stipulation is 5/20/2019. (Hrubiec, R.) Modified on 4/22/2019 (dlw). (Main Document 35 replaced on 4/22/2019) (dlw). (Entered: 04/22/2019)
04/22/2019	<u>36</u>	ANSWERING BRIEF in Opposition re <u>15</u> MOTION to Dismiss for Failure to State a Claim filed by Susan Henry.Reply Brief due date per Stipulation is 5/20/2019. (Hrubiec, R.) Modified on 4/22/2019 (dlw). (Entered: 04/22/2019)
04/22/2019	I	CORRECTING ENTRY: D.I. 35 has been replaced on the docket with a version of the brief that complies with Local Rule 5.1.1(a). The footnote now appears in 12 point type. (dlw) (Entered: 04/22/2019)
05/13/2019	<u>37</u>	STIPULATION and Order to Transfer Venue by 3M Company. (Farnan, Kelly) (Entered: 05/13/2019)
05/13/2019	I	SO ORDERED re <u>37</u> Stipulation to Transfer Venue. ORDERED by Judge Maryellen Noreika on 5/13/2019. (dlw) (Entered: 05/13/2019)
05/13/2019	I	Case electronically transferred to the Western District of Michigan. (dlw) (Entered: 05/13/2019)